

Appl. No. 10/666,838
Amdt. dated February 8, 2007
Reply to Office Action of August 8, 2006

PATENT

Amendments to the Drawings:

The attached sheets of drawings includes changes to Figures 3, 4, and 8. The changes are to sheets 3, 6 and 10 of the drawings. The change sheets, which include Figures 3, 4, and 8, replace the original sheets including Figures 3, 4, and 8.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

In the Office Action mailed August 8, 2006, claims 1, 2, 8, 9, 16, 17, 20, 23, 24, 28-31, and 33-35 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,273,868 to Nordvik, while claims 2-7, 10-15, 18, 19, 21, 22, 25-27, and 32 were rejected over Nordvik in combination with either La Torre, Palmer, or Silver '580. The independent claims (claims 1 and 34) have been amended. Dependent claims (2, 10, 11, 13, 33) have been amended where necessary for reasons of antecedent basis or grammatical usage. It is submitted that the claims, as amended, are patentable over the cited references. Spelling corrections to the specification are provided. Replacement drawings for sheets 3, 6, and 10 (comprising Figures 3, 3A on sheet 3, Figures 4, 4A on sheet 6, and Figure 8 on sheet 10) are attached to correct various errors in numbering and spelling in the figures. Marked-up copies of the drawing sheets showing the changes are also attached. No new matter has been entered. Further examination and reconsideration of the application are requested.

In the Office Action, the Examiner asserted that Nordvik supplies all the elements of the claims as filed. Nordvik is directed to a breast pump that includes first, second, and third stimulating members such that the first member is cylindrical and the second and third members include annular chambers. That is, all of Nordvik's members that apply pressure to the breast are annular and extend completely around the breast. In contrast, the independent claims (claims 1 and 34) of the present application have been amended to recite "a pair of opposed expression members adapted to be located in the vicinity of the areola." This feature is illustrated in the drawings generally at Figs. 2-8 and in the specification at paragraph [0034] and paragraph [0039].

For example, one embodiment of the drawings shows expression means 210 of Figure 3A-3C that includes upper and lower opposed members 218, 219 comprising inflatable bladders. Another embodiment shows a pair of bellows 410, 510 (Figure 5 and Figure 6, respectively). In Nordvik, the second member 4 and third member 6, 9 illustrated in Fig. 1 and Fig. 2 are described as annular chambers. It is asserted that a pair of upper and lower opposed

members are not anticipated by the annular chambers of Nordvik that completely encircle the areola. Thus, the pending independent claims, as amended, are not anticipated by Nordvik.

In addition, it is asserted that none of the claims are rendered obvious by combining Nordvik with any of the cited references. Combining any of the cited references would necessarily include the annular chamber construction of Nordvik, as that construction is necessary for Nordvik to operate properly and as described. Therefore, it is submitted that none of the pending claims is rendered obvious by any of the proposed combinations, neither the combination of Nordvik with La Torre, Nordvik with Palmer, nor Nordvik with Silver.

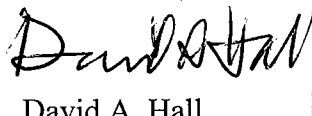
Therefore, it is asserted that claims 1-35 are patentable over the references of record and are in condition for allowance.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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Attachments
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